

AMENDED IN SENATE APRIL 8, 2003

SENATE BILL

No. 833

Introduced by Senator Machado

February 21, 2003

~~An act to amend Section 35409 of the Water Code, relating to water.~~
An act to add Section 6533 to the Government Code, to amend Section 1011.5 of, and to add Article 7 (commencing with Section 75939.5) to Chapter 2 of Part 10 of Division 21 of, the Water Code, and to add Section 24.5 to Chapter 819 of the Statutes of 1971, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 833, as amended, Machado. ~~California water districts~~ *Eastern Water Alliance Joint Powers Agency.*

(1) Existing law authorizes public agencies to enter into joint powers agreements.

This bill would authorize the Eastern Water Alliance Joint Powers Agency, by ordinance, to adopt a procedure for issuing permits for the exportation of any groundwater from that portion of the groundwater basin that underlies the boundaries of the joint powers agency. The bill would provide that after the date of the adoption of the ordinance, any ordinance adopted by San Joaquin County or the San Joaquin County Flood Control and Water Conservation District governing the extraction or exportation of groundwater would not apply within the boundaries of the joint powers agency regardless of the date of adoption.

The bill would authorize the joint powers agency to grant funds to a member public agency for the purposes of assisting that public agency in acquiring water if the board determines that that water supply will benefit the groundwater basin as a whole and that that public agency

would otherwise be unable to acquire that water. The bill would authorize the Board of Supervisors of San Joaquin County to grant to the joint powers agency funds from the county general fund or Zone 2 of the San Joaquin County Flood Control and Water Conservation District that are available to carry out any purposes of the joint powers agency for which the county is authorized to expend funds.

The bill would authorize the joint powers agency to impose annually a plan implementation charge on landowners within its boundaries for the property related service received from improved groundwater management and planning, and for improved groundwater levels and availability, provided by the joint powers agency for the purposes of initiating, carrying out, and completing the powers, projects, and purposes of the joint powers agency. The bill would provide for the collection of the charge, at the option of the joint powers agency, by the county or the joint powers agency. Because the bill would authorize the joint powers agency to establish collection duties on the county to collect the charge, the bill would impose a state-mandated local program.

(2) Existing law declares that when a holder of an appropriative right fails to use water as a the result of conjunctive use of surface water and groundwater involving the substitution of an alternative supply for the unused portion of the surface water, any cessation of use of that appropriated water is deemed to be a reasonable and beneficial use of water to the extent of that cessation and to the extent that the appropriated water is put to reasonable and beneficial use. Existing law, until January 1, 2007, authorizes the substitution of the alternate supply, for the purposes of that provision, to be made from the Eastern San Joaquin County Basin if certain requirements are met.

This bill would make that provision relating to the Eastern San Joaquin County Basin operative indefinitely.

(3) The bill would add certain land to the territory of the North San Joaquin Water Conservation District, the Central San Joaquin Water Conservation District, and the Stockton-East Water District. The bill would require each of those districts to adjust their division boundaries, thereby imposing a state-mandated local program.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000



statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Existing law, the California Water District Law, provides for the formation of California water districts and grants these districts authority relating to, among other things, the production, storage, transmission, and distribution of water. The district law authorizes a California water district to commence and participate in actions to prevent interference with the natural flow of a stream that is used by that district.~~

~~This bill would expressly authorize a combination of districts to exercise that authority.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 35409 of the Water Code is amended to~~

2 *SECTION 1. The Legislature finds and declares all of the*
3 *following:*

4 *(a) The problems associated with providing for the*
5 *management of the Eastern San Joaquin County Groundwater*
6 *Basin and the related provision of supplemental water supplies are*
7 *peculiar to that area and public agencies overlying that basin have*
8 *joined together to form the Eastern Water Alliance Joint Powers*
9 *Agency.*

10 *(b) Legislation is needed to supplement the existing authority*
11 *of member public agencies to allow the Eastern Water Alliance*
12 *Joint Powers Agency to exercise powers to coordinate efforts to*
13 *replenish and manage that critically overdrafted basin.*

14 *(c) With additional powers granted by the enactment of the act*
15 *adding this section, the Eastern Water Alliance Joint Powers*
16 *Agency will be able to do, among other things, all of the following:*

17 *(1) Provide opportunity for economic development within San*
18 *Joaquin County by securing reliable future water supplies.*

1 (2) *Protect the natural resources within its boundaries and*
2 *restore and enhance the environment, including the long-term*
3 *protection of the basin.*

4 (3) *Develop and adopt a master plan designed to balance the*
5 *use and enhancement of the basin through conjunctive*
6 *management.*

7 (4) *Prepare a joint groundwater management plan for the*
8 *member public agencies.*

9 (5) *Secure new and protect existing surface water rights*
10 *required by its members for the implementation of the master plan.*

11 (6) *Apply for and obtain financing to proceed with projects*
12 *identified in the master plan.*

13 (7) *Provide assistance to, supervise the construction of, and*
14 *manage the operation of, facilities identified in the master plan for*
15 *the benefit of its members.*

16 (8) *Develop and manage a groundwater bank in accordance*
17 *with the master plan.*

18 SEC. 2. *Section 6533 is added to the Government Code, to*
19 *read:*

20 (a) *The Eastern Water Alliance Joint Powers Agency, by*
21 *ordinance, may adopt a procedure for issuing permits for the*
22 *exportation of any groundwater from that portion of the*
23 *groundwater basin that underlies the boundaries of the Eastern*
24 *Water Alliance Joint Powers Agency. The procedure shall identify*
25 *the quantity of groundwater that may be exported and the*
26 *conditions of that export.*

27 (b) *After the date of the adoption of the ordinance pursuant to*
28 *subdivision (a), any ordinance adopted by San Joaquin County or*
29 *the San Joaquin Flood Control and Water Conservation District*
30 *governing the extraction or exportation of groundwater shall not*
31 *apply within the boundaries of the joint powers agency regardless*
32 *of the date of adoption.*

33 (c) *After the date of the adoption of the ordinance pursuant to*
34 *subdivision (a), Section 1220 does not apply to actions of the joint*
35 *powers agency to permit the extraction and exportation of*
36 *groundwater.*

37 (d) *The board of the joint powers agency may grant available*
38 *funds to a member public agency for the purposes of assisting that*
39 *public agency in acquiring water if the board determines that that*
40 *water supply will benefit the groundwater basin as a whole and*

1 *that that public agency would otherwise be unable to acquire that*
2 *water.*

3 *(e) For the purpose of supplementing the general operating*
4 *revenues of the joint powers agency, upon the request of the board*
5 *of the joint powers agency, the Board of Supervisors of San*
6 *Joaquin County may grant to the joint powers agency funds from*
7 *the county general fund or Zone 2 of the San Joaquin County Flood*
8 *Control and Water Conservation District that are available to*
9 *carry out any purpose of the joint powers agency for which the*
10 *county is authorized to expend funds.*

11 *(f) The joint powers agency shall deposit any county funds*
12 *received pursuant to subdivision (e) in a separate account, and*
13 *upon request of the county, shall demonstrate that all expenditures*
14 *made from that account are being used only to carry out the*
15 *purposes of the joint powers agency.*

16 *(g) Subject to Article XIII D of the California Constitution, the*
17 *joint powers agency may impose a plan implementation charge, in*
18 *accordance with this subdivision, on landowners within its*
19 *boundaries for the property related service received from improved*
20 *groundwater management and planning, and for improved*
21 *groundwater levels and availability, provided by the joint powers*
22 *agency. This plan implementation charge shall be a charge for*
23 *water subject to the procedures and requirements set forth in*
24 *subdivisions (a) and (b) of Section 6 of Article XIII D, as follows:*

25 *(1) Each year the board of directors of the joint powers agency*
26 *may fix a plan implementation charge for the purpose of paying the*
27 *costs of initiating, carrying out, and completing any of its powers,*
28 *projects, and purposes. Plan implementation charges may not*
29 *exceed the annual cost of carrying out the powers, projects, and*
30 *purposes of the joint powers agency. The board of directors may*
31 *also use multi-year budgeting to determine the plan*
32 *implementation charges for up to five years and adopt a schedule*
33 *of charges for this time period.*

34 *(2) Before imposing plan implementation charges, the board of*
35 *directors of the joint powers agency shall identify the parcels of*
36 *land within the joint powers agency to be benefited by activities of*
37 *the joint powers agency, the need for plan implementation charges*
38 *for the purpose of paying the costs of these activities, and the*
39 *amount of charges to be imposed on each parcel. The amount of*
40 *the charge upon any parcel may not exceed the proportional cost*

1 of the service and improvements attributable to the parcel. The
2 agency shall provide written notice of the plan implementation
3 charge and conduct a public hearing as provided in subdivision (a)
4 of Section 6 of Article XIII D of the California Constitution. The
5 agency may not impose the plan implementation charge if written
6 protests against the charge are presented by a majority of the
7 owners of the identified parcels upon which the charge will be
8 imposed.

9 (3) The plan implementation charge, at the option of the joint
10 powers agency, may be collected on the tax rolls of the county in
11 the same manner, by the same persons, and at the same time as,
12 together with and not separate from, county ad valorem property
13 taxes. In lieu of that option, the joint powers agency shall collect
14 plan implementation charges at the same time, together with
15 penalties and interest at the same rates as is prescribed for the
16 collection of county ad valorem property taxes.

17 (4) The amount of an unpaid plan implementation charge,
18 together with any penalty and interest thereon, shall constitute a
19 lien on that land as of the same time and in the same manner as
20 does the tax lien securing county ad valorem property taxes.

21 (5) In lieu of a plan implementation charge being imposed on
22 parcels within the boundaries of any individual member of the joint
23 power agency, any member of the joint powers agency may
24 determine by resolution to make payment to the joint powers
25 agency of funds in an amount equal to the amount that would be
26 raised by imposition of the plan implementation charge within the
27 boundaries of that member, to be paid at the same time that the plan
28 implementation charge would be collected if imposed.

29 (h) For the purposes of this section, "joint powers agency"
30 means the Eastern Water Alliance Joint Powers Agency.

31 SEC. 3. Section 1011.5 of the Water Code, as added by Section
32 2 of Chapter 779 of the Statutes of 1992, is amended to read:

33 1011.5. (a) The Legislature hereby finds and declares that the
34 growing water needs of the state require the use of water in an
35 efficient manner and that the efficient use of water requires
36 certainty in the definition of property rights to the use of water. The
37 Legislature further declares that it is the policy of this state to
38 encourage conjunctive use of surface water and groundwater
39 supplies and to make surface water available for other beneficial
40 uses. The Legislature recognizes that the substantial investments

1 that may be necessary to implement and maintain a conjunctive use
2 program require certainty in the continued right to the use of
3 alternate water supplies.

4 (b) When any holder of an appropriative right fails to use all or
5 any part of the water as a result of conjunctive use of surface water
6 and groundwater involving the substitution of an alternate supply
7 for the unused portion of the surface water, any cessation of, or
8 reduction in, the use of the appropriated water shall be deemed
9 equivalent to a reasonable and beneficial use of water to the extent
10 of the cessation of, or reduction in, use, and to the same extent as
11 the appropriated water was put to reasonable and beneficial use by
12 that person. No forfeiture of the appropriative right to the water for
13 which an alternate supply is substituted shall occur upon the lapse
14 of the forfeiture period applicable to water appropriated pursuant
15 to the Water Commission Act or this code or the forfeiture period
16 applicable to water appropriated prior to December 19, 1914.

17 The state board may require any holder of an appropriative right
18 who seeks the benefit of this section to file periodic reports
19 describing the extent and amount of the reduction in water use due
20 to substitution of an alternate supply. To the maximum extent
21 possible, the reports shall be made a part of other reports required
22 by the state board relating to the use of water. Failure to file the
23 reports shall deprive the user of water of the benefits of this
24 section.

25 (c) ~~Substitution~~ (1) *For the purposes of this section, and*
26 *subject to paragraph (2), substitution* of an alternate supply may
27 be made only if the extraction of the alternate supply meets all of
28 the following conditions:

29 ~~(1)–~~

30 (A) Is from a groundwater basin for which the operating safe
31 yield is not exceeded prior to the extraction of the alternate supply.

32 ~~(2)–~~

33 (B) Does not cause the operating safe yield of the groundwater
34 basin from which the alternate supply is obtained to be exceeded.

35 ~~(3)–~~

36 (C) Conforms to all requirements imposed pursuant to any
37 adjudication of the groundwater basin.

38 ~~(4)–~~

39 (D) Is consistent with any applicable groundwater
40 management plan.

1 ~~(5)–~~

2 (E) Is approved by the water supplier whose service area the
3 water is to be transferred from, if the groundwater basin has not
4 been adjudicated or if a groundwater management plan has not
5 been adopted.

6 (2) *For the purposes of this section, substitution may also be*
7 *made if the extraction of the alternate supply is from the Eastern*
8 *San Joaquin County Basin, as described on pages 38 and 39 of the*
9 *Department of Water Resources Bulletin No. 118-80, for which the*
10 *operating safe yield is exceeded prior to the extraction of the*
11 *alternate supply, if all of the following requirements are met:*

12 (A) *The conjunctive use program is operated in accordance*
13 *with a local groundwater management program that complies with*
14 *the requirements of this section.*

15 (B) *The groundwater management program establishes*
16 *requirements for the extraction of groundwater and is approved by*
17 *a joint powers authority that meets the requirements of*
18 *subparagraph (C).*

19 (C) *The joint powers authority includes each water agency*
20 *overlying the contemplated points of groundwater extraction and*
21 *each water agency that will share in the benefits to be derived from*
22 *the local groundwater management program.*

23 (D) *By either of the following methods, the overdraft of the*
24 *groundwater basin underlying the point of extraction has been*
25 *reduced prior to the commencement of extraction:*

26 (i) *Elimination of a volume of existing groundwater extractions*
27 *in excess of the proposed new extraction.*

28 (ii) *Recharge of the groundwater basin with a volume of water*
29 *in excess of the proposed new extraction.*

30 (E) *The operation of that conjunctive use program ensures that*
31 *the overdraft of the groundwater basin continues to be reduced.*

32 (d) Water, or the right to the use of water, the use of which has
33 ceased or been reduced as the result of conjunctive use of surface
34 water and groundwater involving substitution of an alternate
35 supply, as described in subdivisions (b) and (c), may be sold,
36 leased, exchanged, or otherwise transferred pursuant to any
37 provision of law relating to the transfer of water or water rights,
38 including, but not limited to, provisions of law governing any
39 change in point of diversion, place of use, and purpose of use due
40 to the transfer.

(e) As used in this section, “substitution of an alternate supply” means replacement of water diverted under an appropriative right by the substitution of an equivalent amount of groundwater.

(f) This section does not apply to the Santa Ana River watershed.

(g) This section does not apply in any area where groundwater pumping causes, or threatens to cause, a violation of water quality objectives or an unreasonable effect on beneficial uses established in a water quality control plan adopted or approved by the state board pursuant to, and to the extent authorized by, Section 13170 or 13245, which designates areas where groundwater pumping causes, or threatens to cause, a violation of water quality objectives or an unreasonable effect on beneficial uses.

(h) This section shall not be construed to increase or decrease the jurisdiction of the state board over groundwater resources, or to confer on the state board jurisdiction over groundwater basins over which it does not have jurisdiction pursuant to other provisions of law.

(i) This section shall become operative on January 1, 2007.

SEC. 4. Article 7 (commencing with Section 75939.5) is added to Chapter 2 of Part 10 of Division 21 of the Water Code, to read:

Article 7. District Boundary Changes

75939.5. (a) All of the land in San Joaquin County within the following described boundaries is added to the territory of the North San Joaquin Water Conservation District:

Beginning at the quarter corner common to Sections 2 and 3, Township 4 North, Range 7 East; Mount Diablo Base and Meridian; thence westerly along the East and West half section line of Sections 3 and 4 to the center of Section 4, Township 4 North, Range 7 East; thence southerly to the South quarter corner of said Section 4; thence westerly along the South line of Sections 4, 5, and 6, to the southwest corner of said Section 6; thence northerly to the quarter corner common to Section 6, Township 4 North, Range 7 East and Section 1, Township 4 North, Range 6 East, Mount Diablo Base and Meridian; thence continuing West along the East and West half section line of Sections 1, 2, and 3, to the center of Section 3, Township 4 North, Range 6 East, Mount

1 *Diablo Base and Meridian; thence southerly along the North and*
2 *South half section line of Sections 3, 10, 15, 22, and 27, of said*
3 *Township 4 North, Range 6 East, to its intersection with the South*
4 *line or left bank of Mokelumne River; thence following said left*
5 *bank downstream 11 miles, more or less, to its intersection with the*
6 *centerline of Dry Creek, which is also the boundary between San*
7 *Joaquin and Sacramento Counties; thence easterly along the said*
8 *Sacramento/San Joaquin Counties boundary 25 miles, more or*
9 *less, to the boundary between Sacramento, Amador, and San*
10 *Joaquin Counties; thence southerly along the said Amador/San*
11 *Joaquin Counties boundary 5 miles, more or less, to the*
12 *intersection of the boundaries of Amador, Calaveras and San*
13 *Joaquin Counties; thence continuing southerly along the*
14 *boundary between Calaveras and San Joaquin Counties 10 miles,*
15 *more or less, to its intersection with the North line of the South half*
16 *of Section 25, Township 3 North, Range 9 East; thence West along*
17 *said North line, and continuing West along the North lines of the*
18 *South half of Sections 26, 27, 28, 29, and 30, of Township 3 North,*
19 *Range 9 East, and continuing West along the North lines of the*
20 *South half of Sections 25, 26, 27, 28, and 29, of Township 3 North,*
21 *Range 8 East, 10 miles, more or less, to the center of Section 29,*
22 *Township 3 North, Range 8 East, said center of Section 29 being*
23 *the center of Tully Road; thence northerly along the North and*
24 *South half section line of Sections 29 and 20, Township 3 North,*
25 *Range 8 East, being also along the Tully Road to the North quarter*
26 *corner of Section 20, Township 3 North, Range 8 East; thence*
27 *westerly along the North line of said Section 20 being along*
28 *Harney Lane to the northwest corner of said Section 20; thence*
29 *northerly along the easterly line of Sections 18, 7, and 6, Township*
30 *3 North, Range 8 East (being along Tully Road), to the northeast*
31 *corner of said Section 6; thence westerly along the northerly line*
32 *of said Section 6 about 49.2 —, more or less, to a point in line*
33 *of fence running northerly; thence northerly along a fence line*
34 *running through Divisions 10 and 13 and along the West line of*
35 *Division 16 of D. J. Locke Est. to a point in the westerly production*
36 *of the South property line of land conveyed to N. C. and Minnie L.*
37 *Cole by deed recorded February 17, 1942, in Book of Official*
38 *Records, Volume 762, Page 406, San Joaquin County Records;*
39 *thence easterly along the westerly production of and along the*
40 *South property line of said Cole property 1,218.5 feet more or less*

1 to the West line of Tully Road (formerly Brumi); thence
2 southeasterly along the westerly line of Tully Road to the East and
3 West half section line of Section 31, Township 4 North, Range 8
4 East, Mount Diablo Base and Meridian; thence easterly along
5 said half section line to the southeast corner of the northeast
6 quarter of said Section 31; thence following the boundaries of the
7 Mokelumne River Irrigation District North $0^{\circ} 47'$ East 1,233 feet,
8 South $89^{\circ} 55'$ West 1,312 feet, North 10° East 3,708 feet to the
9 North line of the San Joaquin and Sierra Nevada R. R.
10 Reservation; thence South $55^{\circ} 0'$ West along said railroad
11 reservation line 19,213 feet; thence North $40^{\circ} 40'$ East (should be
12 West) 1,600 feet more or less to the eastern boundary of the
13 northwest quarter of southwest quarter of Section 30 of said
14 Township 4 North, Range 8 East; thence southerly 540 feet more
15 or less to the southeasterly corner of Lot 12 of Block 1 of the Town
16 of Lockeford as it is of record in the County of San Joaquin State
17 of California; thence northerly along the eastern boundary of said
18 Lot 12, 138.5 feet to its northeastern corner; thence westerly
19 117.25 feet to the northwesterly corner of said Lot 12; thence
20 southerly 60 feet along the western boundary of said Lot 12; thence
21 westerly in line with and along the northern boundary of the 20
22 foot alley, lying North of Block 1, crossing Oak Street and
23 continuing along Block 2, crossing Bush Street, and continuing
24 along Block 3, 75 feet to its northwesterly corner, being also the
25 northwesterly corner of Lot 11 of said Block 3; thence continuing
26 along the same course 100 feet; thence southerly at right angles
27 to the last course and parallel to the western line of said Lot 11,
28 180 feet to the northerly line of Church Street in said town; thence
29 westerly along the northerly line of Church Street 175 feet to a
30 point northerly from and in line with the easterly line of Lot 1 Block
31 9; thence southerly crossing Church Street and along the easterly
32 line of said Lot 1 to its south easterly corner; thence westerly along
33 the southern boundary of Lots 1 and 2 of said Block 9 to the
34 southwest corner of said lot 2; thence southerly crossing the alley
35 and along the eastern line of Lot 10 to its southeasterly corner;
36 thence westerly along the South line of said Lots 10 and 9 to its
37 southwesterly corner; thence northerly along the westerly line of
38 Lot 9, to and continuing across the alley to the southeasterly
39 corner of Lot 5 of said Block 9; thence westerly along the southern
40 boundary of Lots 5 and 6; thence northerly along the westerly

1 boundary of Lot 6; thence easterly along the northerly line of Lots
2 6, 5, and 4, to the northeasterly corner of said Lot 4; thence
3 northerly across Church Street to the southwesterly corner of Lot
4 7 of Block 4; thence northerly along the western boundary of Lot
5 7, 100 feet; thence westerly crossing a 20 foot alley to the
6 southeasterly corner of Lot 4 of said Block 4 and continuing
7 westerly to its southwesterly corner; thence northerly along the
8 westerly line of Lots 4, 3, 2, and 1, of said Block 4; thence
9 continuing in the same course 60 feet; thence North 310.0 feet,
10 North 42° 0' West 90.0 feet, South 75° 0' West 279.7 feet to the
11 northerly line of Locust Street (Continued); thence South 50° 0'
12 West 60 feet, South 40° 0' East 810 of Church Street in said Town
13 of Lockeford; thence westerly along the North line of Church Street
14 225 feet more or less to the easterly line of Cotton Street; thence
15 northerly along the eastern line of said Cotton Street 110 feet;
16 thence westerly 60 feet to the northeasterly corner of Lot 12 of
17 Block 5 and continuing westerly along the northern boundary of
18 Lots 12, 11, 10, 9, 8, and 7, of said Block 5; thence southerly along
19 the western boundary of said Lot 7, 110 feet to its southwesterly
20 corner; thence westerly at right angles to last course 25 feet; thence
21 southwesterly 66 feet to a point in line with the northern boundary
22 of Block 7 of said town and distant westerly 50 feet from its
23 northwesterly corner; thence southerly 110 feet along the western
24 side of Walnut Street in said town; thence westerly along the
25 northerly line of the alley lying northerly of the Lots 12, 11, 10, 9,
26 8, and 7, of Block 6 of said town, a distance of 241 feet more or less;
27 thence southwesterly 125 feet, more or less, to the section line
28 common to Sections 25 and 31 (should be 36) of Township 4, North
29 Range 7 East; thence South 20° 20' West 623 feet along the
30 northwesterly line of the alley in Block 1 of the River View Addition
31 to the said Town of Lockeford as the same is of record in said
32 County of San Joaquin; thence southeasterly crossing said alley,
33 and along long the line common to Lots 9 and 10 in said Block
34 1, 172 feet more or less to the northern line of the Stockton Road,
35 which lies North and parallel to San Joaquin and Sierra Nevada
36 Railroad; thence South 55° 0' West along the northern line of said
37 Stockton Road to the eastern boundary of the cemetery as defined
38 in Deeds, Recorded in Book "A" Deeds Volume 18, Page 283,
39 Book "A" Deeds, Volume 57, Page 515 and Book "A" Deeds,
40 Volume 77, Page 147; thence leaving said Mokelumne River

Irrigation District Boundary line and continuing South 55° 00' West to the South line of Section 35, Township 4 North, Range 7 East, Mount Diablo Base and Meridian; thence westerly along the South line of said Section 35 to the southwest corner of the southeast quarter of said Section 35; thence northerly along the westerly line of said cemetery to the northwest corner thereof; thence following the boundary of the Mokelumne River Irrigation district, North along the western boundary of the East half of said Section 35, to the southwest corner of the northeast quarter of said Section 35; thence North along the West line of said northeast quarter of Section 35, 2,025 feet more or less to the center of the channel of the Mokelumne River; thence upstream in the approximate center of said Mokelumne River old channel and as modified by reclamations, North 69° 0' East 1,890 feet North 48° 0' East 750 feet, North 29° 0' East 540 feet, North 33° 0' West 1,575 feet, North 62° 0' East 360 feet more or less to the North line south east quarter, Section 26; thence North 62° 0' East 330 feet, North 15° 0' West 600 feet, North 45° 0' East 660 feet, North 15° 0' East 1,440 feet more or less to the North line of Section 25; thence North 52° 0' East 1,305 feet more or less to the center line of Acampo Road; thence in a general westerly direction following the meanders of the center line of Acampo Road to the southwest corner of Section 23, Township 4 North Range 7 East, Mount Diablo Base and Meridian; thence northerly along the westerly line of Sections 23, 14, 11, and 2, Township 4 North, Range 7 East, Mount Diablo Base and Meridian to the point of beginning.

(b) Not later than July 1, 2004, the Board of Directors of the North San Joaquin Water Conservation District shall adjust the boundaries of each division within the district to include the land described in subdivision (a) within an existing division in accordance with applicable law.

75939.7. (a) All of the land in San Joaquin County within the following described boundaries is added to the territory of the Central San Joaquin Water Conservation District:

(b) Not later than July 1, 2004, the Board of Directors of the Central San Joaquin Water Conservation District shall adjust the boundaries of each division within the district to include the land described in subdivision (a) within an existing division in accordance with applicable law.

1 SEC. 5. Section 24.5 is added to Chapter 819 of the Statutes
2 of 1971, to read:

3 Sec. 24.5. (a) All of the land in San Joaquin County within the
4 following described boundaries is added to the territory of the
5 Stockton-East Water District:

6 Addition North of Frazier Road between Tully and Clements
7 Roads. Beginning at a point on the Stockton and East San Joaquin
8 Water Conservation District boundary, now known as the Stockton
9 East Water District, said point being the northeast corner of the
10 southeast quarter of Section 29, Township 3 North, Range 8 East,
11 Mount Diablo Base and Meridian; thence leaving the boundary of
12 the Stockton East Water District, West along the half section line
13 of Sections 28 and 27, $1\frac{1}{3}$ miles, more or less, to a point on the
14 Stockton East Water District boundary, said point being the
15 northwest corner of the northeast quarter of the southeast quarter
16 of Section 27, Township 3 North, Range 8 East, Mount Diablo Base
17 and Meridian; thence along the Stockton East Water District
18 boundary the following 11 courses, (1) southerly $\frac{1}{8}$ mile, more or
19 less, along the West line of the northeast quarter of the southeast
20 quarter of said section to the southeast corner of the northeast
21 quarter of the northwest quarter of the southeast quarter of said
22 Section 27, (2) westerly $\frac{1}{6}$ mile, more or less, along the South line
23 of the northeast quarter of the northwest quarter of the southwest
24 quarter of said section to the northwest corner of the East half of
25 the southeast quarter of the northwest quarter of the southeast
26 quarter of said Section 27, (3) southerly $\frac{1}{8}$ mile, more or less,
27 along the West line of the East half of the southeast quarter of the
28 northwest quarter of the southeast quarter of said section to the
29 southwest corner thereof, (4) westerly $\frac{1}{16}$ mile, more or less, along
30 the North line of the East half of the southwest quarter of the
31 southeast quarter of said Section 27 to the northwest corner
32 thereof, (5) southerly $\frac{1}{4}$ mile, more or less, along the West line of
33 the East half of the southwest quarter of the southeast quarter to
34 the southwest corner thereof, (6) westerly $\frac{7}{8}$ mile, more or less,
35 along the North line of Sections 34 and 33, Township 3 North,
36 Range 8 East, Mount Diablo Base and Meridian to the northwest
37 corner of the northeast quarter of said Section 33, (7) southerly $\frac{1}{4}$
38 mile, more or less, along the West line of the northeast quarter of
39 said section to the southwest corner thereof, and (8) westerly $\frac{1}{4}$
40 mile, more or less, along the South line of the northwest quarter of

1 the northeast quarter of said section to the southwest corner
2 thereof, (9) northerly $\frac{1}{4}$ mile, more or less, along the East line of
3 the northwest quarter of said Section 33 to the northeast corner of
4 said northwest quarter, (10) westerly $\frac{1}{2}$ mile, more or less, along
5 the North line of said northwest quarter of the northwest corner
6 thereof, (11) northerly $\frac{1}{2}$ mile, more or less, along the East line
7 of the southeast quarter of Section 29, Township 3 North, Range
8 8 East to the northeast corner of said southeast quarter of Section
9 29, to the point of beginning, containing 529 acres more or less.

10 North Boundary Addition Between Clements and Sheldon
11 Roads. Beginning at a point on the Stockton and East San Joaquin
12 Water Conservation District boundary, now known as the Stockton
13 East Water District, said point being the northeast corner of the
14 northeast quarter of the southwest quarter of Section 27, Township
15 3 North, Range 8 East, Mount Diablo Base and Meridian, leaving
16 the boundary of the Stockton East Water District, West 7 miles,
17 more or less, along the half section line of Sections 26 and 25, of
18 Township 3 North, Range 8 East, and Sections 30, 29, 28, 27, and
19 26, of Township 3 North, Range 9 East to a point on the Stockton
20 East Water District boundary, said point being the northeast
21 corner of the northeast quarter of the southwest quarter of Section
22 26 Township 3 North, Range 9 East, Mount Diablo Base and
23 Meridian, along the Stockton East Water District boundary the
24 following 18 courses, (1) South $\frac{1}{2}$ mile, more or less, to the
25 southwest corner of said Section 25, (2) West $\frac{1}{2}$ mile, more or less
26 to the northwest corner of the northeast quarter of Section 35 of
27 Township 3 North, Range 9 East, (3) South $\frac{1}{4}$ mile, more or less,
28 to the northeast corner of the South half of the northwest quarter
29 of said Section 35, (4) West $\frac{1}{2}$ mile, more or less, to the northwest
30 corner of said South half of the northwest quarter of said Section
31 35, (5) South $\frac{1}{4}$ mile, more or less, to the northeast corner of the
32 South half of Section 34, Township 3 North, Range 9 East, (6) West
33 $1\frac{1}{2}$ miles, more or less, to a point in the center of the Linden Road
34 at the center of Section 33, (7) westerly $\frac{1}{2}$ mile, more or less, along
35 the center of said Linden Road to its intersection with the West line
36 of Section 33, Township 3 North, Range 9 East, (8) South $\frac{1}{2}$ mile,
37 more or less, along the West line of Section 33 to the northeast
38 corner of Section 5, Township 2 North, Range 9 East, (9) West $3\frac{1}{4}$
39 miles, more or less, along the North line of Sections 5 and 6,
40 Township 2 North, Range 9 East, and the North line of Sections 1

1 and 2, Township 2 North, Range 8, East to the southwest corner of
2 the East half of Section 35, Township 3 North, Range 8 East, (10)
3 northerly $\frac{3}{4}$ mile, more or less, along the westerly line of said East
4 half of said Section 35 to the northeast corner of said southwest
5 quarter of the northeast quarter of said Section 35, (11) westerly
6 418.3 feet along the North line of the southwest quarter of the
7 northeast quarter of said Section 35, (12) northerly $\frac{1}{4}$ mile, more
8 or less, along a line parallel with, 418.3 feet westerly of, measured
9 at right angles to the West line of the northeast quarter of said
10 Section 35, (13) westerly 1,072.5 feet, more or less, along the
11 North line of said Section 35 to the northwest corner of the East
12 5 acres of the northeast quarter of the northwest quarter of said
13 Section 35, (14) southerly along the West line of said 5 acre tract
14 to intersection with the North line of the southeast quarter of the
15 northwest quarter of said Section 35, (15) westerly along said
16 North line to the northwest corner of the southeast quarter of the
17 northwest quarter of said Section 35, (16) southerly 2,645 feet,
18 more or less, along the West line of the East half of the West half
19 of said Section 35 to the northeast corner of the southwest quarter
20 of said Section 35, (17) westerly 1,324.5 feet, more or less, along
21 the North line of the southwest quarter of said Section 35 to the
22 northwest corner of said southwest quarter of said Section 35, (18)
23 northerly to the point beginning being this said point at $1\frac{1}{4}$ miles,
24 more or less, along the East line of Sections 34 and 27, of Township
25 3 North, Range 8 East, Mount Diablo Base and Meridian, and of
26 the northeast corner of the southeast quarter of Section 27,
27 Township 3 North, Range 8 East, Mount Diablo Base and
28 Meridian, containing, 5,267 acres more or less.
29 East Boundary Addition between District Road and the common
30 San Joaquin Stanislaus County Line. Beginning at a point on the
31 Stockton and East San Joaquin Water Conservation District
32 boundary, now known as the Stockton East Water District, said
33 point being on the common boundary of both San Joaquin and
34 Stanislaus Counties, and the northeast corner of the southeast
35 quarter of Section 36, Township 3 North, Range 9 East, Mount
36 Diablo Base and Meridian, leaving the boundary of the Stockton
37 East Water District, South $6\frac{1}{2}$ miles, more or less, to the common
38 section corner of Section 36, Township 2 North, Range 9 East,
39 Section 31, Township 2 North, Range 10 East, Section 6, Township
40 1 North, Range 10 East, and Section 1, Township 1 North, Range

1 9 East, Mount Diablo Base and Meridian, West 3 miles, more or
2 less, along the South line of Sections 36, 35, and 34, to a point on
3 the Central San Joaquin Water Conservation District boundary,
4 said point being the section corner common the Sections 33,
5 Township 2 North, Range 9 East, Section 34, Township 2 North,
6 Range 9 East, Section 3, Township 1 North, Range 9 East, and
7 Section 4, Township 1 North, Range 9 East, Mount Diablo Base
8 and Meridian, along the Central San Joaquin Water Conservation
9 District boundaries the following five courses, (1) West 1 mile,
10 more or less, along the South line of Section 33, Township 2 North,
11 Range 9 East, Mount Diablo Base and Meridian, to the southwest
12 corner of said section, located on the centerline of Escalon-Bellota
13 Road, (2) South $\frac{1}{2}$ mile, more or less, along centerline of said road
14 and the East line of Section 5, Township 1 North, Range 9 East,
15 Mount Diablo Base and Meridian, to the northeast corner of the
16 southeast quarter of said section, (3) West 1 mile, more or less,
17 along the $\frac{1}{2}$ section line of said Section 5 to the northeast corner
18 of the southeast quarter of Section 6, Township 1 North, Range 9
19 East, Mount Diablo Base and Meridian, (4) North $\frac{1}{2}$ mile, more
20 or less along the East line of the said Section 6 to its northeast
21 corner being at the centerline of Copperopolis Road, (5) West 2
22 miles, more or less, along the North line of Section 6, Township 1
23 North, Range 9 East, and Section 1, Township 1 North, Range 8
24 East, Mount Diablo Base and Meridian, to a point on the Stockton
25 East Water District boundary, said point being a section corner
26 common to Sections 1 and 2, Township 1 North, Range 8 East, and
27 Sections 25 and 36, Township 2 North, Range 8 East, Mount
28 Diablo Base and Meridian, along the Stockton East Water District
29 boundary the following 26 courses, (1) North $\frac{1}{2}$ mile, more or less,
30 along the center of Dietrich Road and the West line of the South
31 half Section 36 to the northwest corner of the said half section,
32 Township 2 North, Range 8 East, Mount Diablo Base and
33 Meridian, (2) East $\frac{1}{2}$ mile, more or less, to the center of said
34 Section 36, Township 2 North, Range 8 East, Mount Diablo Base
35 and Meridian, (3) North 1 mile, more or less, to the center of
36 Section 25, Township 2 North, Range 8 East, Mount Diablo Base
37 and Meridian, (4) East 1 mile, more or less, along the South line
38 of the northeast quarter of said Section 25 and along the South line
39 of the northwest quarter of Section 30, Township 2 North, Range
40 9 East, to the center of said Section 30, (5) North $2\frac{1}{2}$ miles, more

1 or less, along the half section line running North and South
2 through Sections 30, 19, and 18, Township 2 North, Range 9 East
3 to the southwest corner of the southeast quarter of Section 71,
4 Township 2 North, Range 9 East, (6) East $\frac{1}{2}$ mile, more or less,
5 along the South line of said Section 7 to the southeast corner
6 thereof, (7) North $\frac{1}{4}$ mile, more or less, along the East line of said
7 Section 7 to the southwest corner of the northwest quarter of the
8 southwest quarter of Section 8, Township 2 North, Range 9 East,
9 (8) East $\frac{1}{4}$ mile, more or less, along the South line of said
10 northwest quarter of the southwest quarter of said Section 8 to the
11 centerline of the Escalon-Bellota Road, (9) North $\frac{1}{4}$ mile, more
12 or less, along said centerline of Escalon-Bellota Road to its
13 intersection with the South line of the North half of said Section 8,
14 (10) East $\frac{3}{4}$ mile, more or less, along the South line of the North
15 half of said Section 8 to the southeast corner of the North half of
16 said Section 8, (11) North $\frac{1}{4}$ mile, more or less, along the East line
17 of Section 8 to the southwest corner of the northwest quarter of
18 Section 9, Township 2 North, Range 9 East, (12) East $\frac{1}{4}$ mile,
19 more or less, along the South line of the northwest quarter of
20 Section 9 to the southeast corner thereof in the center of the
21 Gilmore Road No. 616, (13) North along the quarter section line
22 and along the center of said Gilmore Road No. 616, to a point 300
23 feet southerly from the South line of Section 4, Township 2 North,
24 Range 9 East, Mount Diablo Base and Meridian, (14) East 750
25 feet, (15) North 300 feet to a point on said South line of Section 4,
26 (16) East along the South line of Section 4 to the southeast corner
27 of the southwest quarter of said Section 4, (17) North $\frac{1}{2}$ mile, more
28 or less, along the East line of the southwest quarter of Section 4 to
29 the center of said Section 4, (18) East $\frac{1}{2}$ mile, more or less, along
30 the South line of the northeast half of Section 4 to the southeast
31 corner of the northeast quarter of said Section 4, (19) North $\frac{1}{2}$
32 mile, more or less, along the East line of said northeast quarter of
33 Section 4 to the southwest corner of Section 34, Township 3 North,
34 Range 9 East, (20) East 1 mile, more or less, along the South line
35 of Section 34 to the southeast corner thereof, (21) South, along the
36 West line of Section 2, Township 2 North, Range 9 East, to the
37 center of the Bellota River Road, (22) northeasterly along the
38 center of said road to the East line of the northwest quarter of said
39 Section 2, (23) North along said East line of the northwest quarter
40 of said Section 2 to the southwest corner of the southeast quarter

1 of Section 35, Township 3 North, Range 9 East, (24) East $\frac{5}{16}$ mile,
 2 more or less, along the South line of Section 35 to the center of the
 3 Bellota River Road, (25) northeasterly $\frac{3}{4}$ mile, more or less, along
 4 the center of said Road to a point on the South line of the North half
 5 of Section 36, Township 3 North, Range 9 East, Mount Diablo Base
 6 and Meridian, (26) East 518 mile, more or less, along the South
 7 line of said North half of Section 36, and common boundary to the
 8 county line between San Joaquin and Stanislaus Counties, said
 9 point being the northeast corner of the southeast quarter of Section
 10 36, Township 3 North, Range 9 East, Mount Diablo Base and
 11 Meridian to the point of beginning, containing 20,916 acres more
 12 or less.

13 (b) Not later than July 1, 2004, the Board of Directors of
 14 Stockton-East Water District shall adjust the boundaries of each
 15 division within the district to include the land described in
 16 subdivision (a) within an existing division, in accordance with
 17 applicable law.

18 SEC. 6. Notwithstanding Section 17610 of the Government
 19 Code, if the Commission on State Mandates determines that this
 20 act contains costs mandated by the state, reimbursement to local
 21 agencies and school districts for those costs shall be made
 22 pursuant to Part 7 (commencing with Section 17500) of Division
 23 4 of Title 2 of the Government Code. If the statewide cost of the
 24 claim for reimbursement does not exceed one million dollars
 25 (\$1,000,000), reimbursement shall be made from the State
 26 Mandates Claims Fund.

27 read:

28 ~~35409. A district, or a combination of districts, may~~
 29 ~~commence, maintain, intervene in, defend, and compromise~~
 30 ~~actions and proceedings to prevent interference with, or~~
 31 ~~diminution of, the natural flow of any stream or natural~~
 32 ~~subterranean supply of waters for which any of the following~~
 33 ~~applies:~~

34 ~~(a) The water is used or may be useful for any purpose of the~~
 35 ~~district or districts.~~

36 ~~(b) The water is of common benefit to the land or its~~
 37 ~~inhabitants.~~

38 ~~(c) The water may endanger the inhabitants or land.~~